

PILLSBURY WINTHROP SHAW PITTMAN LLP  
BRUCE A. ERICSON #76342  
ALICE KWONG MA HAYASHI #178522  
ELIANA P. KAIMOWITZ RODRIGUEZ #256712  
50 Fremont Street  
Post Office Box 7880  
San Francisco, CA 94120-7880  
Telephone: (415) 983-1000  
Facsimile: (415) 983-1200  
[bruce.ericson@pillsburylaw.com](mailto:bruce.ericson@pillsburylaw.com)  
[alice.hayashi@pillsburylaw.com](mailto:alice.hayashi@pillsburylaw.com)  
[eliana.kaimowitz@pillsburylaw.com](mailto:eliana.kaimowitz@pillsburylaw.com)

Attorneys for Defendants  
CAMBRIDGE DISPLAY TECHNOLOGY LIMITED  
and CDT OXFORD LIMITED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SUNNYSIDE DEVELOPMENT  
COMPANY LLC,

Plaintiff,

vs.

CAMBRIDGE DISPLAY TECHNOLOGY  
LIMITED, CDT OXFORD LIMITED,  
OPSYS LIMITED, and JOHN DOES I  
through V,

Defendants.

No. C-08-1780-MHP

**DECLARATION OF HILARY  
CHARLES IN SUPPORT OF CDT  
OXFORD LIMITED'S MOTION TO  
DISMISS**

Date: September 8, 2008  
Time: 2:00 p.m.  
Courtroom 15, 18th Floor  
Hon. Marilyn Hall Patel

I, **HILARY CHARLES**, declare as follows:

1. I am the corporate secretary for defendant **CAMBRIDGE DISPLAY TECHNOLOGY LIMITED** ("CDT Ltd."). I am also a director of CDT Ltd. I have held these positions since April 2007. The facts stated herein are based upon my own personal knowledge, upon CDT Ltd.'s business records, or, where so indicated, upon my

1 information and belief. If called as a witness, I could and would competently testify  
2 thereto.

3 2. I have reviewed the Patent Licence dated March 3, 2005, between  
4 Cambridge Display Technology Limited ("CDT Ltd.") and Add-Vision, Inc. ("AVI") (the  
5 "Licence"). The Licence is a confidential document that contains proprietary information.  
6 I have not, therefore, attached it hereto.

7 3. None of the intellectual property licensed by CDT Ltd. to AVI by means of  
8 the License was developed by CDT Oxford Limited.

9 4. The Licence provides that disputes arising out of clause 3 (financial  
10 provisions) will be governed by California law and resolved by arbitration in California.  
11 The License further provides, however, that all other provisions will be governed and  
12 construed in accordance with English law. As to these provisions, the License provides for  
13 resolution of disputes by arbitration in London. Each party irrevocably submits for all  
14 purposes in connection with the Licence (other than a dispute relating to clause 3) to the  
15 exclusive jurisdiction of the courts of England.

16 5. The Licence does not refer to Opsys Limited, Opsys UK Limited, or CDT  
17 Oxford Limited.

18 I declare under penalty of perjury under the laws of the United States of America  
19 that the foregoing is true and correct.

20 Executed this 25th day of August 2008 at Cambourne, Cambridgeshire, United  
21 Kingdom.

22  
23 /s/ Hilary Charles  
Hilary Charles  
24  
25  
26  
27  
28

1           **DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B**

2 I, ALICE KWONG MA HAYASHI, hereby declare pursuant to General Order 45,  
3 § X.B, that I have obtained the concurrence in the filing of this document from Hilary  
4 Charles.

5 I declare under penalty of perjury that the foregoing declaration is true and correct.

6 Executed on August 25, 2008, at San Francisco, California.

7

8 /s/ Alice Kwong Ma Hayashi  
Alice Kwong Ma Hayashi

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28